IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 22ND FEBRUARY 2007 / 3RD PHALGUNA 1928

Crl.Rev.Pet.No. 798 of 2007()

CRA.871/2005 of ADDL. COURT OF SESSIONS (AD HOC) II ERNAKULAM
CC.854/2001 of JUDL.MAGISTRATE OF FIRST CLASS, PERUMBAVOOR

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REVN. PETITIONER: APPELLANT/ACCUSED

SHAJI RAPHEL, PARACKAL VEEDU,
PULLUVAZHY P.O., PERUMBAVOOR.

BY ADV. SRI.V.RAJENDRAN (PERUMBAVOOR)
SRI.GEORGE VARGHESE KIZHAKKAMBALAM

RESPONDENTS: RESPONDENTS/COMPLAINANT

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1. STATE OF KERALA, REP.BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. C.M.SULAIMAN,
CHANNTHADATHIL VEEDU, RANNI, PERUNAD,
KUDEMURATTY P.O.

BY PUBLIC PROSECUTOR SRI. AMJAD ALI.

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 22/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P. NO. 798 of 2007

Dated this the 22nd day of February, 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to undergo simple imprisonment for a period of one month and to pay a compensation of Rs.90,000/- vide Section 357 (3) Cr.P.C, and in default, to undergo simple imprisonment for a period of 45 days.

2. The counsel for the revision petitioner has only sought for time to make the payment and also for modification of the sentence. In the circumstances, sentence is modified to imprisonment till the rising of the court. The rest of the sentence is affirmed. The revision petitioner is granted six months time to make the payment. He shall appear before the Judicial First Class Magistrate Court, Perumbavoor on 22.8.2007 to receive sentence.

The revision petition is disposed of as above.

K.R.UDAYABHANU,JUDGE.

mma/- /True Copy/

P.A to Judge